

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 9827-AG11-0207-021

Paul M. Kelly

Respondent

5771 N. College Ave.
Indianapolis IN 46220

Type of Agency Action: Enforcement

Indiana Resident Producer License No. 458525

FILED

MAR 18 2011

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Indiana Department of Insurance ("Department") and Paul M. Kelly, an Indiana resident insurance producer, signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding Respondent's license, and which has been submitted to the Commissioner of Insurance (the "Commissioner") for approval.

The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth as attached as Exhibit A herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

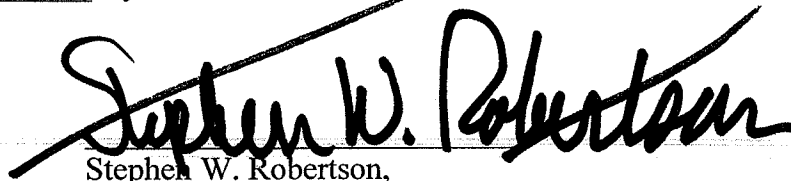
IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent will pay an Administrative Fine in the sum of One Thousand Dollars (\$1,000.00). The fine is payable within Thirty (30) days of this Final Order.
2. Thereafter, Respondent will submit an application for the renewal of his Indiana

Resident Insurance Producer License. The license renewal will be subject to the normal applicable licensing statutes and procedures.

3. The Department agrees to accept Respondent's compliance with the terms of this Final Order as full resolution of the issues regarding Respondent's producer license.

ALL OF WHICH IS ORDERED this 18th day of March 2011.


Stephen W. Robertson,
Commissioner
Indiana Department of Insurance

Distribution:

Nikolas P. Mann
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 300
Indianapolis, Indiana 46204-2787

Paul M. Kelly
5771 N. College Ave.
Indianapolis IN 46220

Kightlinger & Gray, LLP
Attn: Ginny L. Peterson
Market Sq. Center, Ste 600
151 N. Delaware St.
Indianapolis IN 46204

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 9827-AG11-0207-021

IN THE MATTER OF:

Paul M. Kelly

Respondent

5771 N. College Ave.
Indianapolis IN 46220

Type of Agency Action: Enforcement

Indiana Resident Producer License No. 458525

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MAR 18 2011

STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by Nikolas P. Mann, Attorney for and on behalf of the State of Indiana, Department of Insurance ("Department"), and Paul M. Kelly, a licensed resident insurance agent. This Agreed Entry is subject to the review and approval of the Commissioner of the Indiana Department of Insurance.

WHEREAS, Respondent is a licensed resident insurance agent in the State of Indiana, operating under License Number 458525; and,

WHEREAS, Respondent's producer license expired on August 31, 2010; and,

WHEREAS, Respondent failed to renew his producer license prior to August 31, 2010; and,

WHEREAS, the Department contends that Respondent continued to act as an Insurance Producer after the expiration of his producer license until October 17, 2010 and Respondent is uncertain whether his actions constituted that of an insurance producer; and,

WHEREAS, the Department and Respondent desire to resolve their differences and settle the issues without a hearing or the necessity of the filing of a statement of charges;

IT IS THEREFORE, NOW AGREED by and between the parties as follows:

1. The Commissioner has jurisdiction over the subject matter of and the parties to this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives his right to a public hearing.
4. Respondent voluntarily and freely waives his right to petition for judicial review of this agreement and the Commissioner's Final Order.
5. Respondent will not contest that Respondent continued to act as an insurance producer after the expiration of his producer license.
6. Respondent's conduct is in violation of Indiana Code § 27-1-15.6-3.
7. Respondent will pay an Administrative Fine in the sum of One Thousand Dollars (\$1,000.00). The fine is payable within Thirty (30) days of the Commissioner's Final Order.
8. Thereafter, Respondent will submit an application for the renewal of his Indiana Resident Insurance Producer License. The license renewal will be subject to the normal applicable licensing statutes and procedures.
9. The Department agrees to accept Respondent's compliance with the terms of this agreement as full resolution of the issues regarding Respondent's producer license.

10. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Agreed Entry by the Commissioner shall not unfairly or illegally prejudice the Commissioner from further participation in or resolution of these proceedings.
11. Respondent has carefully read and examined this agreement and fully understands its terms.
12. The Department and Respondent acknowledge that this Agreed Entry, if accepted by the Commissioner, will be presented to other states for consideration of Respondent licensing.
13. Respondent has been represented by counsel, Ginny L. Peterson, throughout this matter.

3/14/11

Date Signed

Nikolas P. Mann

Nikolas P. Mann, Attorney
Indiana Department of Insurance

2/28/2011

Date Signed

Paul M. Kelly

Paul M. Kelly, Respondent

STATE OF ^{Virginia}~~INDIANA~~)
COUNTY OF CHESTERFIELD) SS:

Before me a Notary Public for CHESTERFIELD County, State of ^{Virginia}~~Indiana~~,
personally appeared Paul M. Kelly, and being first duly sworn by me upon his oath, says
that the facts alleged in the foregoing instrument are true.

Signed and sealed this 28th day of February, 2011.

Janay Wells Messick
Signature

Janay Wells Messick
Printed

My Commission expires: June 30, 2012

County of Residence: Chesterfield

